IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9571 OF 2004

Dhansukhbhai Fakribhai Patel Petitioner

versus

Yashwant @ Ashok Fakribhai Patel and others Respondents

Miss Bhavra Shah for petitioner.

P.N.Joshi for respondent no.5.

Girish Kulkarni for respondent no.3.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 10th February 2006

PC :

1. By this petition under Article 227 of the Constitution of India the petitioner challenges an order passed by the Administrator dated 15th October 2004 in Revenue Appeal No.9 of 2004. By the order under challenge the Administrator has rejected the appeal preferred by the petitioner.

2. Ms.Shah appearing for the petitioner does not press this petition in the light of the fact that the newly added respondent no.5 who is the

Transferee of the adjoining property, has agreed to provide access and right of way through his land to the petitioner to reach petitioner's land. Consent terms to that effect which are signed by the petitioner, his advocate as well as respondent no.5 and their advocate are taken on record. At the request of Ms.Shah, petition is dismissed as against respondents 3 and 4. Consent terms between petitioner and respondent no.5 taken on record and marked "X" for identification. Order in terms of the consent terms. Petitioner as well as respondent no.5 are present in the Court and they make a statement that the dispute between them is settled in terms of the consent terms tendered in court.

(S.C.DHARMADHIKARI, J.)